

March 31, 2015

Via ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Foley Square, Room 2202
New York, N.Y. 10007

Re: U.S. v. Alimzhan Tokhtakhounov, et al., 13 Cr. 268(JMF)


Dear Judge Furman:

Thank you for the immediate attention given to the concerns I raised in my Letter Motion dated March 26, 2015. On behalf of my client, Boris Vaksman, I now assert the following objections to the Government's proposed Final Order of Forfeiture:

1. The Stipulation and Order that was negotiated with the Government stated that "[t]he 84% interest in S&T Capital, LLC **and its assets** forfeited to the United States, aside from [\$148,272.00], are hereby transferred to Vaksman. (See Stip. & Order, P. 4, ¶2b) The language in the proposed Final Order, however, only references the 84% interest in S&T Capital LLC leaving out the words "and its assets." (See Final Order, P.13). We believe these additional words are material and ask that they be re-inserted into the Final Order;
2. The Stipulation and Order that was negotiated with the Government contemplated the transfer of twenty-five thousand dollars (\$25,000.00) to Vaksman via wire transfer to a bank account designated by his counsel. (See Stip. & Order, P. 4, ¶2c) While the proposed Final Order does reference this transfer in the "Whereas" recitals, it is not mentioned in the "Ordered" portion. Accordingly, we ask that the terms regarding the transfer of funds be added to the "Ordered" portion of the Final Order. Moreover, there is no mention in the Final Order of when the funds are to be transferred. It is respectfully suggested that the Final Order direct the Government to wire the subject funds within three (3) business days of receiving instructions from Vaksman's counsel. Finally, the mechanics of payment via wire to an account designated by counsel is the mechanism of payment contained in the Stipulation and same should also appear in the Final Order.

Should the Court have any questions, please advise.

Sincerely,



Aaron L. Altman

cc: Alexander J. Wilson, AUSA